IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of	**MAIL STOP RCE**
Bas Ording et al.	Group Art Unit: 2179
Application No.: 10/689,687	Examiner: Nicholas Augustine
Filed: October 22, 2003	Confirmation No.: 4912
For: COMPUTER INTERFACE HAVING A VIRTUAL SINGLE-LAYER MODE FOR VIEWING	

REQUEST FOR RECONSIDERATION

Commissioner for Patents
P.O. Box 1450
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Sir:

In response to the Office Action dated November 13, 2008, Applicants respectfully request reconsideration and withdrawal of the rejection of the claims.

In the Office Action, the previous rejection of claims 57-60 and 76-87, on the basis of the DeStefano patent in view of the Bronson patent, was maintained. The DeStefano patent was cited for its disclosure of displaying one or more windows that can obscure a user's view of objects on a desktop of a user interface. The Office Action acknowledges that the DeStefano patent does not disclose the remaining steps that are recited in the claims, and relies upon the Bronson patent as allegedly teaching the claimed subject matter. However, it is respectfully submitted that the rejection is based upon an unsupported interpretation of the disclosure of the Bronson patent. Before discussing this issue, a brief overview of the claimed subject matter will be presented.

Claim 57 recites the step of displaying one or more windows such that the windows can obscure a user's view of objects on the desktop of a user interface.

Referring to the exemplary embodiment illustrated in Figure 19a of the application, for instance, windows F, G, H, J and K obscure icons 100 on the desktop. The next step recited in claim 57 is temporarily removing the windows from their obscuring positions in response to a first user command. As illustrated in Figure 19b, the windows F-K have been moved outside the boundary 58 of the display, so that the icons 100 are now visible to the user. The third step of claim 57 is selecting at least one of the desktop objects while the windows are removed. In Figure 19b, icon 100a has been selected, as indicated by the shading together with the position of the cursor.

The next step of claim 57 is returning the windows to their original positions in response to a second command from the user, "while maintaining the selection of said desktop object". Referring to Figure 19c, the windows F-K have been returned to the visible area of the desktop, while the user maintains the selection of the icon 100a. Since the user is maintaining the selection of the icon, the icon remains visible to the user, rather than being obscured by the returning windows. The final step of claim 57 is placing the selected object in one of the windows. This step is depicted in Figure 19d, where the selected icon 100a has been dragged to window K, to be placed therein.

The Office Action asserts that the Bronson patent discloses these claimed steps. However, it is respectfully submitted that the Bronson patent cannot be consistently interpreted in a manner so as to suggest the above-noted features of claim 57 to a person of ordinary skill in the art. In relevant part, at Figure 4, the Bronson patent discloses a situation in which all of the windows that were previously visible on the central screen area 20 (as illustrated in Figure 1) have been pushed off

the screen. The Bronson patent discloses that, when a window is slid completely outside of the central screen area, a window tab, e.g., 38, is automatically created, to serve as an indicator that the window still exists, even though it is not visible (column 6, lines 23-36). To return a window onto the screen area 20, the Bronson patent discloses two alternative options. One option, labeled "Fast Restore", is activated by double clicking on the tab associated with the hidden window. The other option is to select the tab and drag it onto the central screen area (column 9, lines 10-20).

With reference to the claimed recitation of "selecting at least one of said desktop objects while the windows are removed", the Office Action refers to the user selection of one of the tabs 84, namely the tab that is associated with the hidden window 64'. In connection with the next claimed step, namely returning the windows to their original positions in response to a second command from the user, while maintaining the selection of said desktop object, the Office Action refers to column 7, lines 23-55 of the Bronson patent. In relevant part, this portion of the patent refers to Figure 5, and states that the secondary window tab 84 has been selected and is used to drag the window 22 onto the screen.

It is respectfully submitted that, even if this disclosed operation could be interpreted to correspond to the claimed recitation of returning windows to their original positions while maintaining the selection of a desktop object, namely the tab 84, it is respectfully that the reference cannot be interpreted to disclose the final step of claim 57, i.e., "placing the selected object in one of said windows." According to the interpretation set forth in the Office Action, "the selected object" is the tab 84 that is used to drag a window back into the central screen area 20. Once this operation is complete, the tab 84 is not "placed" in a window. Rather, as can be seen in Figure

6, the tab ceases to exist. That is because the function of the tab is to represent a window that has been slid completely off the screen. Once a window has been brought back onto the screen, the window itself is visible to, and can be manipulated by, the user, and the tab no longer has a purpose. Consequently, it disappears.

Accordingly, it is respectfully submitted that the Bronson patent does not disclose an operation in which a desktop icon, which may be obscured by an overlying window, is made visible to the user by temporarily removing the window from its obscuring position, such that the user can select the icon, and in which the window is thereafter returned to its original position while the user maintains the selection of the icon, to enable the user to place that selected icon in the returned window, or one of the other windows on the desktop. First, the Bronson patent does not disclose that the tabs 38, 81-85, etc. correspond to desktop objects that can be obscured by a window. Rather, the tabs do not even exist until a window is slid off the screen. Second, even if the tabs could be interpreted to be desktop objects that are capable of being obscured by a window, there is no disclosure suggesting that these tabs can be selected and then "placed" in a window after the windows have been returned to their original positions. At best, they are moved across the central screen area 20 to bring the window back into view. Once the operation of returning a window to its original position has been completed, the tab disappears, and is therefore not capable of being "placed" anywhere.

For at least these reasons, therefore, it is respectfully submitted that the Bronson patent does not disclose all of the steps recited in claim 57 that are acknowledged to be absent from the DeStefano patent. Consequently, the rejection

of the claim is not supported by the DeStefano and Bronson patents, whether they are considered individually or in combination.

Claim 60 recites a different, but related, operation from that recited in independent claim 57. An example of this operation is illustrated in Figures 20a-20d. The first step of claim 60 is displaying one or more windows such that the windows can obscure a user's view of objects on the desktop of the user interface. As illustrated in Figure 20a, windows F-K can obscure icons 100 on the desktop. The next step of claim 60 is selecting an object in a window. In Figure 20a, the selection of object 100b in window J is depicted by the shading of the object, in conjunction with the position of the cursor. The next step of claim 60 is temporarily removing the windows from their obscuring positions in response to a first user command, while maintaining the selection of the object. As shown in Figure 20b, the windows J-K have been moved outside the border 58 of the visible desktop area, while the icon 100b remains selected by the user.

The next step of claim 60 is "placing the selected object on the desktop or a desktop object while the windows are removed". Referring to Figure 20c, the selected object 100b is being placed on a desktop icon 100c, while the windows F-K remain outside of the visible desktop area. The final step is returning their windows to their original positions in response to a second command from the user, which is depicted in Figure 20d.

In rejecting claim 60, the Office Action makes the conclusory statement that the Bronson patent teaches the selection of an object in a window, temporarily removing the windows from their obscuring positions while maintaining the selection of the object, placing the selected object on the desktop while the windows are

removed, and returning the windows to their original positions. However, the Office Action does not identify the particular object that is considered to be the "selected" object in this scenario. Presumably, the Examiner is referring to the same object that was relied upon in the rejection of claim 57, namely the tab 84.

The disclosed operations involving tab 84 do not correspond to the steps recited in claim 60. For example, the claim recites the step of temporarily removing the windows from their obscuring positions, "while maintaining the selection of the object". In the system of the Bronson patent, the tab 84 does not even appear until after the window has been slid off the screen (column 6, lines 27-28). As such, it is not possible within this system to select a tab and then temporarily remove the window from the screen *while maintaining the selection of the tab*. In the system of the Bronson patent, the windows are first slid off the screen, and the tab then appears for selection. As discussed previously, the purpose of the tab is to enable a window to be returned to the screen area. It does not exist, and therefore cannot be selected, while a window is being taken off the screen area.

The foregoing argument is based upon the assumption that the Examiner is interpreting a tab, such as the tab 84, to be the "selected object" in the context of claim 60. If the Examiner is interpreting the Bronson patent in a different manner to reject the claim, a detailed explanation of that interpretation, particularly with respect to the selected object, is respectfully requested, so that Applicants can fully address such an interpretation.

For at least the foregoing reasons, it is respectfully submitted that the Bronson patent does not disclose all of the steps of independent claims 57 and 60 for which it is being relied upon in the rejections of these claims. For at least these same

reasons, it is respectfully submitted that independent claim 82 is likewise distinct from the disclosure of the Bronson patent. Among other elements, it recites the steps of "selecting an object in one of the windows or from the desktop while one of the first or second views, respectively, is being displayed", and "placing said selected object on the desktop or in one of said windows, respectively, after switching to the other of said first or second views." As discussed previously, the Bronson patent cannot be consistently interpreted to disclose, or otherwise suggest, these operations of selecting an object while the user interface is in one view, switching to the other view, and placing that selected object in a window, or on the desktop, while in the other view.

Furthermore, it is respectfully submitted that dependent claims 58, 59, 76-82 and 84-87 are likewise patentably distinct from the disclosures of the DeStefano and Bronson patents, at least by virtue of their dependency from the independent claims.

Accordingly, it is respectfully submitted that the rejection of the claims is not supported by the disclosures of the references. Reconsideration and withdrawal of the rejection, and allowance of all pending claims is respectfully requested.

After consideration of the foregoing remarks, if the Examiner is inclined to maintain the rejection on the basis of the Bronson et al. patent, he is respectfully requested to contact Applicant's undersigned representative to further discuss his interpretation of the reference relative to the recitation of the claims, in an effort to determine whether the basis for the rejection can be expeditiously resolved.

Respectfully submitted,

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